

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BEST BEE BROTHERS LLC,

Plaintiff,

Case No. 25-cv-0365-bhl

v.

BRIAN ROBERT BLAZER d/b/a
Carpenter Bee Solutions,

Defendant.

**ORDER DENYING MOTION FOR SUPPLEMENTAL BRIEFING AND GRANTING
MOTION TO RESTRICT**

Plaintiff Best Bee Brothers, LLC claims that Defendant Brian Robert Blazer has wrongly accused it of infringing his trade dress rights in connection with the sale of rectangular- and trapezoidal-shaped carpenter bee traps. (ECF No. 25.) According to Best Bee Brothers, Blazer has made meritless complaints about this infringement to Amazon, leading Amazon to remove Best Bee Brothers' products from its sales platforms and causing irreparable harm at a particularly important time in Best Bee Brothers' selling season. (*Id.*) Best Bee Brothers moved for a preliminary injunction requiring Blazer to withdraw his Amazon complaints pending a final ruling on its claims against him. (See ECF Nos. 6, 22–23.) On April 24, 2025, the Court granted the motion and issued a preliminary injunction in Best Bee Brothers' favor. (ECF Nos. 27 & 28.)

On April 25, 2025, Blazer filed an answer and counterclaims against Best Bee Brothers. (ECF No. 30.) On June 6, 2025, Best Bee Brothers moved to dismiss the counterclaims and for judgment on the pleadings. (ECF Nos. 43–44.) On June 27, 2025, Blazer responded by filing an amended answer and counterclaims, as allowed under Federal Rule of Civil Procedure 15(a)(1)(B). (ECF No. 54).

On July 11, 2025, Best Bee Brothers filed three motions: a motion for leave to file supplemental briefing, a motion to restrict, and a motion to dismiss the amended counterclaims. (ECF Nos. 56–58.) Briefing has not yet completed on the motion to dismiss, and the Court will not address that motion at this time.

With respect to the motion for supplemental briefing, the Court will deny that request. Best Bee Brothers seeks leave to file a supplemental brief because it contends Blazer “failed to effectively respond” to its motion for judgment on the pleadings. (ECF No. 56.) The premise underlying Best Bee Brothers’ motion is incorrect. Blazer responded to the motion when he filed an amended answer and counterclaims. (ECF No. 54); *see also* Fed. R. Civ. P. 15(a)(1)(B). The amended pleading supersedes his prior one and rendered the motion for judgment on the pleadings moot. *See Duda v. Bd. of Educ. of Franklin Park Pub. Sch. Dist. No. 84*, 133 F.3d 1054, 1056–57 (7th Cir. 1998); *see also Anderson v. Carr*, No. 24-CV-563, 2025 WL 1432680, at *1 (E.D. Wis. May 16, 2025). There is no need for supplemental briefing on a moot motion.

With respect to Best Bee Brothers’ motion to restrict its renewed motion to dismiss, that motion will be granted. Best Bee Brothers explains that the motion references the parties’ Confidential Settlement Agreement. (ECF No. 57.) Finding good cause, the Court will grant the motion.

For the foregoing reasons,

IT IS HEREBY ORDERED that Best Bee Brothers’ Motion for Supplemental Briefing, ECF No. 56, is **DENIED**.

IT IS FURTHER ORDERED that Best Bee Brothers’ Motion to Restrict, ECF No. 57, is **GRANTED**. Best Bee Brothers is permitted to file the unredacted version of its motion to dismiss, ECF No. 58-1, under seal.

Dated at Milwaukee, Wisconsin on July 15, 2025.

s/ Brett H. Ludwig

BRETT H. LUDWIG
United States District Judge